

**GOTTLIEB & ASSOCIATES**  
ATTORNEYS

150 E. 18<sup>th</sup> St., Suite PHR • New York, NY 10003  
Tel (212) 228-9795 • Fax (212) 982-6284  
NYJG@aol.com

September 14, 2022

**VIA ECF**

The Honorable John P. Cronan  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

The Court construes this filing as a request for a court order approving a voluntary dismissal following service of an answer under Federal Rule of Civil Procedure 41(a)(2). The Court considers Plaintiff's request proper given the settlement in principle reached between the parties and grants the request. This case is dismissed with prejudice subject to either party's right to reopen prior to November 1, 2022.

SO ORDERED.  
Date: September 15 2022  
New York, New York

  
JOHN P. CRONAN  
United States District Judge

Re: *Picon v. Smith Jewelers, Inc.*,  
Case No.: 1:22-cv-3582

Dear Judge Cronan,

The undersigned represents Yelitza Picon, ("Plaintiff") in the above referenced matter against Defendant, Smith Jewelers, Inc., ("Defendant") (collectively the "Parties"). We write, with Defendant's consent, to inform the Court that the Parties have reached a settlement in principle and respectfully request that Your Honor dismiss this action with prejudice with the right to reopen in forty-five (45) days if the Settlement Agreement is not consummated. In light of the anticipated settlement, the undersigned respectfully requests all currently pending deadlines in this action be adjourned *sine die*.

We thank the Court for its time and attention in this matter.

Respectfully submitted,  
/s/Michael A. LaBollita, Esq.  
Michael A. LaBollita, Esq.

cc: All counsel of record via ECF